

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ROBERT LANGFORD, #156621,)	
Plaintiff,)	
)	No. 1:08-cv-00836
-v-)	
)	HONORABLE PAUL L. MALONEY
TIMOTHY BERNHARDT,)	
RANDY TOWNSEND,)	
CHRIS HOLMES,)	
RUSS STONEHOUSE, and)	
DANIEL BULTSMA,)	
Defendants.)	
_____)	

ORDER
ADOPTING REPORT AND RECOMMENDATION OVER OBJECTIONS
AND DENYING MOTION FOR LEAVE TO APPEAL TO U.S. SUPREME COURT

On September 3, 2008, state prisoner Robert Langford filed a complaint in this court under 42 U.S.C. § 1983, alleging violations of his civil rights. On September 2, 2010, the remaining Defendants filed a Motion for Summary Judgment. (ECF No. 74.) On review of the parties' briefing, Magistrate Judge Scoville issued a Report and Recommendation that summary judgment be granted on Mr. Langford's federal claims and that the court decline to exercise supplemental jurisdiction over Mr. Langford's purported state-law claims. (ECF No. 106.) Before the court today is Mr. Langford's objection to the Report and Recommendation. (ECF No. 109.)

I. STANDARD OF REVIEW

Parties have 14 days to file written objections to the proposed findings and recommendations in a magistrate judge's report and recommendation ("R&R"). 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). A district court judge reviews *de novo* the portions of the R&R to which objections have been filed, and may accept, reject, or modify, in whole or in part, the magistrate judge's findings or recommendations. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). Only specific objections are

entitled to *de novo* review under the statute, *see Mira v. Marshall*, 806 F.2d 636, 637 (6th Cir. 1986) (per curiam), and the statute does not “positively require[] some lesser review by the district court when no objections are filed.” *Thomas v. Arn*, 474 U.S. 140, 150 (1985). Failure to object to an issue waives that issue, along with the party’s right to appeal that issue. *United States v. Sullivan*, 431 F.3d 976, 984 (6th Cir. 2005); *see Arn*, 474 U.S. at 155 (upholding the Sixth Circuit’s practice).

II. DISCUSSION

Mr. Langford objects generally to the magistrate judge’s report and recommendation and argues that summary judgment should not be granted, but he provides no specific legal arguments on the issues addressed by the magistrate judge. Because Mr. Langford fails to bring any specific objections to the R&R, his objection is OVERRULED, and the magistrate judge’s R&R will be adopted.

Instead of making specific objections to the R&R, Mr. Langford alleges that he has been precluded from making copies of certain handwritten papers from 2008 that allegedly support his claims. The time for raising such complaints has long passed: Mr. Langford’s suit has been pending for more than three years; the remaining Defendants filed their motion for summary judgment more than 16 months ago; and Mr. Langford responded to this motion in March of last year. Mr. Langford’s filing also asks for leave to appeal to the United States Supreme Court. This request will be denied; if he wishes, Mr. Langford may appeal this court’s final order under the standard procedures set forth by law.

This order dismisses all claims over which this court has original jurisdiction. The court declines to exercise supplemental jurisdiction over Plaintiff Langford’s purported state-law claims. 28 U.S.C. § 1367(c)(3).

For the reasons discussed above, **IT IS HEREBY ORDERED** that:

1. The report and recommendation (ECF No. 106) is **ADOPTED**, over objections, as the opinion of this court;
2. Defendants' Motion for Summary Judgment (ECF No. 74) is **GRANTED** as to Plaintiff Langford's federal claims;
3. Plaintiff Langford's federal claims are **DISMISSED WITH PREJUDICE**;
4. Plaintiff Langford's remaining claims are **DISMISSED WITHOUT PREJUDICE**; and
5. To the extent that Plaintiff Langford's Objection (ECF No. 109) is construed as a Motion for Leave to Appeal to the United States Supreme Court, it is **DENIED**.

IT IS SO ORDERED.

Date: January 25, 2012

/s/ Paul L. Maloney
Paul L. Maloney
Chief United States District Judge